

JAN 18 2006

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Date: January 18, 2006

File Number: 01ZS-105709

Total number of pages:  
(including 1-page cover sheet)

7

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Sheppard Mullin at 415-434-9100, Ext. 3261TO:Facsimile No.Telephone No.United States Patent & Trademark Office  
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(571) 273-8300

From: David Schnapf, Reg. No. 31,566

Direct Dial: 415-774-3282

Re: USSN: 10/626,104

MESSAGE: PLEASE SEE ATTACHED.

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W02-SF:5JW161405550.1

JAN 18 2006

PTO/SB/84 (10-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
012S-105709First named inventor: Michio OhkuboApplication No.: 10/626,104

Art Unit: 2828

Filed: July 23, 2003Examiner: VAN ROY, Tod ThomasTitle: "RIDGE WAVEGUIDE SEMICONDUCTOR LASER DIODE"Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)), Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700.00.

- ☐ has been paid previously on \_\_\_\_\_.
- ☒ is enclosed herewith. (Charged to Deposit Account No. 501395)

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to the (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to  
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any  
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,  
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED  
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/04 (10-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

David Schnapf

Typed or printed name

Sheppard Mullin Richter &amp; Hampton LLP

Address

Four Embarcadero Center, 17th Floor  
San Francisco, CA 94111

Address

Date

31,566

Registration Number, if applicable

(415) 434-9100

Telephone Number

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Issue Fee Transmittal (in duplicate).

The Commissioner is hereby authorized to charge the total fee of \$3,200.00 to Deposit Account No. 501395. The Commissioner is also authorized to charge any deficiency or credit any overpayment to Deposit Account No. 501395. This sheet is filed in duplicate.

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January 18, 2006

Date

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Jordan Wilson

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JAN 18 2006

PTO/SB/84 (10-05)

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|                                                                                                              |                                                |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT<br/>ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b> | <b>Docket Number (Optional)</b><br>012S-105709 |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|

First named Inventor: Michio Ohkubo

Application No.: 10/626,104

Art Unit: 2828

Filed: July 23, 2003

Examiner: VAN ROY, Tod Thomas

Title: "RIDGE WAVEGUIDE SEMICONDUCTOR LASER DIODE"

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☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

☐ has been filed previously on \_\_\_\_\_  
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700.00

☐ has been paid previously on \_\_\_\_\_  
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PTO/SB/64 (10-05)  
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David Schnapf  
 Signature

David Schnapf  
 Typed or printed name

Sheppard Mullin Richter & Hampton LLP

Address  
 Four Embarcadero Center, 17th Floor  
 San Francisco, CA 94111

1/18/06  
 Date

31,566  
 Registration Number, if applicable

(415) 434-9100

Telephone Number

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- ☐ Reply
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Date

Jordan Wilson  
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Typed or printed name of person signing certificate